

05.12.2024
Item No.63
Court No.1
(GB)
(Allowed)

Calcutta High Court
In the Circuit Bench at Jalpaiguri
CRM (A) 966 of 2024

In Re: - An application for anticipatory bail under section 438 of the Code of Criminal Procedure, 1973/Section 482 of the B.N.S.S. 2023, in connection with **Sadar Women** Police Station Case No.**28 of 2024** dated **17.02.2024** under Sections 498(A)/302/304B/34 of IPC, 1860, read with Section 6 of the Protection of Children from Sexual Offences Act, 2012 and Sections 3/4 of the Dowry Prohibition Act and Sections 10/11 of the Prohibition of Child Marriage Act.

And

In the matter of: **Fazrul Haque @ Fajlu Haque & Anr.**

....Petitioners.

Mr. Arjun Chowdhury,
Ms. Pratusha Dutta Chowdhury,
Ms. Riya Agarwal,
Mr. Koushik Kumar Kanu,
Ms. Tulip Saha,
Mr. Dibyajyoti Bhowmik

...for the Petitioners.

Mr. Aditi Shankar Chakraborty,
Mr. Biswarup Roy

... for the State.

1. The petitioners are the in-laws of the victim. Petitioners pray for anticipatory bail on the ground of parity with other co-accused persons and also on the ground that the principal accused, that is, the husband of the victim has been enlarged on bail. It is submitted that the investigation is complete and custodial interrogation of the petitioners would not be necessary.
2. Learned advocate for the State opposes the prayer for anticipatory bail and hands over the case diary.
3. We have considered the materials on record as also the postmortem report. Moreover, as investigation is complete and charge-sheet has been submitted and the husband of the victim is on bail, we direct

that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each, with two sureties of equal amount each, to the satisfaction of the Additional Sessions Judge, 2nd Court, Cooch Behar. The petitioners shall appear before the jurisdictional court on the dates fixed. The petitioners shall not leave the jurisdiction of the jurisdictional court without permission of the court. The petitioners shall not intimidate witnesses or tamper with evidence in any manner whatsoever

4. The application for anticipatory bail, being CRM (A) 966 of 2024 is, thus, disposed of.
5. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Shampa Sarkar, J.)

(Partha Sarathi Chatterjee, J.)